

United States District Court

District of Hawaii

Waiver of Hearing to Modify Conditions of Probation/Supervised Release and/or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release and/or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release and/or to the proposed extension of my term of supervision:

[X] To modify the defendant's conditions of supervision as follows:

Mandatory Conditions:

You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than eight valid drug tests per month during the term of supervision.

You must cooperate in the collection of DNA as directed by the probation officer.

Special Conditions:

Special Condition No. 2: You must not possess or use alcohol during the term of supervision. You must warn any other resident and/or guest that you are prohibited from possessing any alcohol in your residence and on your property. You must submit to alcohol testing at the direction of the probation office.

Special Condition No. 4: You must participate in a mental health assessment, and any recommended treatment in a mental health program, and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (such as provider, location, modality, duration and intensity). You must take all mental health medications, including psychotropic medications that are prescribed by your treating physician.

Special Condition No. 10: You must submit your person, property, house, residence, vehicle, papers, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition. The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

Special Condition No. 11: You must maintain a single personal bank account, separate and apart from your spouse, any family members or others, into which all income, financial proceeds, and gains must be deposited and from which all expenses must be paid.

Special Condition No. 12: Restitution of \$31,219 is due to Scott Credit Union in the amount of \$1,065.00, 101 Credit Union Way, P.O. Box 70, Edwardsville, IL 62025; US Bank – Case No. 2013006894, Corporate Security Payments in the amount of \$761.00, P.O. Box 650, Milwaukee, WI 53278-0650; First Community Bank in the amount of \$2,871.00, 1602 N. Kingshighway, Cape Girardeau, MO 63701; Harford Bank in the amount of \$1,188.00, 505 S. Main Street, Bel Air, MD 21014; TD Bank Global Security in the amount of \$5,868.00, 900 Atrium Way, Mt. Laurel, NJ 08054; Commerce Bank in the amount of \$2,258.00, 956 Jeffco Blvd., Arnold, MO 63010; Wells Fargo Bank in the amount of \$2,000.00, 615 Bel Air Road, Bel Air, MD 21014; Susquehanna Bank in the amount of \$1,447.00, 19 East Main Street, Lititz, PA 17543; Bank of Jackson in the amount of \$10,500.00, 420 Oil Well Road, Jackson, TN 38305; and Huntington Bank in the amount of \$3,261.00, 4149 St. Rt., Hurricane, WV 25526. Any unpaid balance is to be paid during the period of supervision in monthly installments of 10% of your gross monthly income, commencing 30 days after the start of supervision. The court may order that this requirement be changed from time to time as your circumstances warrant, but no court order shall be required for your voluntary agreement to pay more than the court-ordered amount. Interest is waived while you are serving any term of imprisonment and shall begin accruing on any remaining balance commencing 30 days after the start of supervision. Payments must be made by payroll deduction, when applicable. You must notify the probation officer of any change in your financial circumstances that affect your ability to pay. Your financial circumstances must be reviewed by the probation officer on at least an annual basis.

Witness:

A. Moore

L. Moore
Case Manager

SIGNED:

Andrew Maberry

ANDREW MABERRY
Supervised Releasee

3/1/18

Date